

SUPPORTING STATEMENT FOR
EPA INFORMATION COLLECTION REQUEST NUMBER 1597.02
“REPORTING AND RECORDKEEPING REQUIREMENTS FOR UNIVERSAL WASTE”
September 26, 1997

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1. IDENTIFICATION OF THE INFORMATION COLLECTION

1(a) TITLE AND NUMBER OF INFORMATION COLLECTION

This ICR is entitled "Reporting and Recordkeeping Requirements for Universal Waste," ICR number 1597.02.

1(b) SHORT CHARACTERIZATION

EPA promulgated streamlined regulations at 40 CFR Part 273 that govern the collection and management of widely generated wastes known as universal wastes. Universal wastes share the following characteristics:

- They are frequently generated in a wide variety of settings other than the industrial settings usually associated with hazardous wastes;
- They are generated by a vast community, the size of which poses implementation difficulties for those who are regulated and regulatory agencies; and
- They may be present in significant volumes in non-hazardous waste management systems.

EPA has identified hazardous waste batteries, certain hazardous waste pesticides, and hazardous waste thermostats as universal wastes. Other wastes may be added to the universal waste list if EPA determines such regulation to be appropriate; sections 273.80 and .81 set forth a formal process by which organizations can petition EPA to have a waste or waste category added to the universal waste system. The regulations allow handlers and transporters to manage universal wastes under a reduced set of regulatory requirements. Destination facilities (i.e., those facilities accepting universal waste for treatment, recycling, or disposal) are still subject to the same technical standards applicable to treatment, storage, disposal, and recycling facilities under the full Subtitle C hazardous waste regulations.

The Part 273 regulations establish two types of handlers of universal wastes: small quantity handlers of universal waste (SQHUW) and large quantity handlers of universal waste (LQHUW). SQHUWs do not accumulate more than 5,000 kg of any one category of universal waste at one time, while LQHUW may accumulate quantities at or above this threshold. More stringent requirements are imposed on LQHUWs because of greater potential environmental risks.

The universal waste regulations are designed to accomplish the following general goals:

- Encourage resource conservation while ensuring protection of human health and the environment;
- Improve implementation of the Subtitle C hazardous waste program through a simplified set of requirements that are easily understood by handlers of universal waste; and
- Separate universal waste from the municipal wastestream by encouraging individuals and organizations to collect these wastes and to manage them in an appropriate hazardous waste management system.

This ICR is a comprehensive description of all of the information collection requirements contained at 40 CFR Part 273.

2. NEED FOR AND USE OF THE COLLECTION

2(a) Need and Authority for the Collection

EPA promulgated the universal waste regulations at Part 273 under the authority of Subtitle C of RCRA. EPA needs to collect information to ensure that universal waste is being managed in a manner protective of human health and the environment. For example, EPA needs to collect notifications of universal waste management from LQHUWs to obtain general information on these handlers and to facilitate enforcement of the Part 273 regulations. EPA promulgated accumulation recordkeeping requirements to ensure that universal waste is being accumulated responsibly. EPA needs to collect information on illegal universal waste shipments to enforce compliance with applicable regulations. Finally, EPA requires tracking of universal waste shipments to help ensure that universal waste is being properly treated, recycled, or disposed.

2(b) Use and Users of the Data

EPA uses collected information to ensure that universal waste is being managed in a protective manner. This data aids the Agency in tracking universal waste shipments and identifying improper management practices. In addition, information kept in facility records helps handlers and destination facilities to ensure that they and other facilities are managing universal waste properly. Finally, petitions submitted under §§273.80 and 273.81 in support of regulating other wastes or waste categories under Part 273 helps EPA to compile information on these wastes, and to determine whether regulation as a universal waste is appropriate.

3. THE RESPONDENTS AND THE INFORMATION REQUESTED

3(a) RESPONDENTS/SIC CODES

The following is a list of Standard Industrial Classification (SIC) codes associated with industries most likely affected by the information collection requirements covered under this ICR.

01	Agricultural Production - Crops
071	Soil Preparation Services
072	Crop Services
078	Landscape and Horticultural Services
08	Forestry
171	Plumbing, Heating, and Air Conditioning
1795	Wrecking and Demolition Work
287	Agricultural Chemicals
372	Aircraft and Parts
374	Railroad Equipment
3799	Transportation Equipment
401	Railroads
41	Local and Interurban Passenger Transit
45	Transportation by Air
722	Photographic Studios
781	Motion Picture Production and Services
734	Services to Buildings
7342	Disinfecting and Pest Control Services
7349	Building Maintenance Services
801	Offices and Clinics of Medical Doctors
802	Offices and Clinics of Dentists
803	Offices of Osteopathic Physicians
806	Hospitals
971	National Security

3(b) INFORMATION REQUESTED

This section describes information collection requirements applicable to SQHUWs, LQHUWs, and/or destination facilities.

Notification

(i) Data items:

Section 273.32 requires LQHUWs to send written notification of universal waste management to the Regional Administrator, and receive an EPA identification number, before exceeding the 5,000 kilogram accumulation limit total of universal waste. (Sections 273.32(a)(2) and (3), however, exempt LQHUWs from this requirement if they have already notified EPA of: (1) hazardous waste activities under RCRA; or (2) pesticide management under FIFRA.)

The notification must include the following data items:

- Universal waste handler's name and address (§273.32(b)(1));
- Name and phone number of the contact person at the universal waste handler's site (§273.32(b)(2));
- Location of the universal waste management activities (§273.32(b)(3));
- A list of all types of universal waste managed (§273.32(b)(4)); and
- A statement that 5,000 kilograms or more of waste are accumulated at one time, and a description of the types of waste accumulated above this quantity (§273.32(b)(5)).

(ii) Respondent activities:

- Prepare and send written notification of universal waste management.

Labeling/Marking

(i) Data items:

Sections 273.14 and 273.34 require SQHUWs and LQHUWs, respectively, to label or mark their universal waste. The information must identify the type of waste, and be provided on the waste itself, or the container, tank, or transport vehicle in which the waste is contained (§§273.14 and 273.34).

(ii) Respondent Activities:

- Label or mark the universal waste to identify the type of waste.

Accumulation Time Limits

(i) Data items:

Sections 273.15 and 273.35 require SQHUWs and LQHUWs, respectively, to demonstrate the length of time that the universal waste has been accumulated from the date it was received or became a waste. The demonstration may be made by using any of the following methods:

- Placing the universal waste in a container and marking or labeling the container with the earliest date that any universal waste in the container became a waste or was received (§273.15(c)(1) or §273.35(c)(1));
- Marking or labeling the individual item of universal waste with the date it became a waste or was received (§273.15(c)(2) or §273.35(c)(2));
- Maintaining an inventory system on-site that identifies the date the universal waste being accumulated became a waste or was received (§273.15(c)(3) or §273.35(c)(3));
- Maintaining an inventory system on-site that identifies the earliest date any universal waste in a group of universal waste items or a group of containers of universal waste became a waste or was received (§273.15(c)(4) or §273.35(c)(4));
- Placing the universal waste in a specific accumulation area and identifying the earliest date that any universal waste in the area became a waste or was received (§273.15(c)(5) or §273.35(c)(5)); or
- Any other method approved in advance by the Regional Administrator or the State Director (§273.15(c)(6) or §273.35(c)(6)).

(ii) Respondent Activities:

- Demonstrate the length of time that universal waste has been accumulated since it became a waste or was received.

Off-Site Shipments

(i) Data items:

Sections 273.18(f), 273.38(f), and 273.61(b) require SQHUWs, LQHUWs, and destination facilities, respectively, to notify a universal waste handler if a shipment or a portion of a shipment is rejected. Sections 273.18(g), 273.38(g), and 273.61(c) require SQHUWs, LQHUWs, and destination facilities, respectively, to notify the regional EPA office of any illegal shipment of waste. The data items required for rejection notifications or illegal shipment notifications are:

- Notification to the originating handler of the rejection of the shipment (§§273.18(f), 273.38(f), or 273.61(b)); and/or
- Notification to EPA of the illegal shipment, including the name, address, and phone number of the originating shipper (§§273.18(g), 273.38(g), and 273.61(c)).

(ii) Respondent activities:

- If necessary, prepare and submit a notice of rejection of shipment to the originating handler; and/or
- If necessary, prepare and submit a notice of illegal shipment to EPA.

Tracking Universal Waste Shipments

(i) Data items:

Sections 273.39 and 273.62 require LQHUWs and destination facilities, respectively, to maintain records of each universal waste shipment received and sent, and to retain those records for a period of

three years from the day of receipt or sending of the shipment. The following information is required in the records:

For shipments received on site, data items must consist of:

- The name and address of the originating universal waste handler from whom the waste was sent (§§273.39(a)(1) and 273.62(a)(1));
- The quantity of each type of universal waste received (§§273.39(a)(2) and 273.62(a)(2)); and
- The date the universal waste was received (§§273.39(a)(3) and 273.62(a)(3)).

For shipments sent off-site for further management, data items must consist of:

- The name and address of the universal waste handler to whom the waste was sent (§§273.39(b)(1) and 273.62(b)(1));
- The quantity of each type of universal waste sent (§§273.39(b)(2) and 273.62(b)(2)); and
- The date the universal waste was sent (§§273.39(b)(3) and 273.62(b)(3)).

(ii) Respondent activities:

- For shipments received on site, maintain records for a period of three years.
- For shipments sent off-site, maintain records for a period of three years.

Petitions to Include Other Wastes Under 40 CFR Part 273

(i) Data items:

Section 273.80 allows any person to petition EPA for an amendment to add a hazardous waste or category of hazardous waste to the universal waste regulations in 40 CFR Part 273. The petitioner must demonstrate that regulation under part 273 is: (1) appropriate for the waste or category of waste, (2) will improve management practices for the waste or category of waste, and (3) will improve implementation of the hazardous waste program. The demonstration must include:

- A description of the need for regulation and regulatory impacts (§273.80(b)).
- Information required under 40 CFR 260.20(b):
 - Petitioner's name and address;
 - Statement of the petitioner's interest;
 - Description of the proposed action; and
 - Statement of the need and justification for the action.
- Information addressing the factors listed in 40 CFR 273.81, including data demonstrating the following:
 - The waste or category of waste is listed in Subpart D of part 261, or a proportion of the waste exhibits characteristics of waste identified in Subpart C of Part 261;
 - The waste or category of waste is not exclusive to a specific industry or group of industries, but is commonly generated by a wide variety of types of establishments;
 - The waste or category of waste is generated by a large number of generators, and is generated in relatively small quantities by each generator;

- Systems to be used for collecting the waste would ensure close stewardship of the waste;
- The risk posed by the waste during accumulation and transport are low relative to other hazardous wastes, and management standards proposed by the petitioner would be protective of human health and the environment during accumulation and transport;
- Regulation of the waste under Part 273 will increase the likelihood that the waste will be diverted from non-hazardous waste management and into management in compliance with Subtitle C of RCRA;
- Regulation of the waste under Part 273 will improve implementation of and compliance with the hazardous waste regulatory program; and
- Any other factors which may be appropriate.

(ii) Respondent activities:

- Prepare and submit a petition supporting regulation of a waste or waste category under Part 273.

4. THE INFORMATION COLLECTED--AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT

The following section discusses how EPA and implementing agencies collect and manage the information received from respondents. This section also includes a discussion of how EPA has taken steps to ensure that the information collections are not overly burdensome on small entities.

4(a) AGENCY ACTIVITIES

Most information required of universal waste handlers is maintained in records and therefore is not formally submitted to EPA. The Agency conducts the following activities in response to information submittals:

- Review and file notification of universal waste management;
- Send an EPA identification number to universal waste handlers who wish to exceed the 5,000 kilogram limit on accumulation;
- Enter notification information into a database;
- Review and file notices of rejected or illegal waste shipments;
- Review petitions supporting regulation of a waste or category of waste under the Part 273 universal waste regulations;
- Prepare and send a written decision to the petitioner; and
- Compile and file all information on the petition.

4(b) COLLECTION METHODOLOGY AND MANAGEMENT

In collecting and analyzing the information associated with this ICR, EPA uses state-of-the-art electronic equipment such as personal computers, and applicable database and modeling software. EPA ensures the accuracy and completeness of the collected information by reviewing each submittal. EPA enters information into a database and aggregate data to monitor the Universal Waste program.

4(c) SMALL ENTITY FLEXIBILITY

In promulgating the universal waste regulations covered under this ICR, EPA considered the reporting and recordkeeping burden for small businesses. The regulations in Part 273 allow universal waste handlers to maintain most information in facility records rather than in submittals to EPA, thus reducing time and costs for providing information.

EPA also exempted SQHUWs from several administrative requirements. For example, EPA does not require SQHUWs to submit notifications of universal waste management, or to obtain an EPA identification number. EPA also does not require SQHUWs to track (keep records of) their universal waste shipments. EPA believes these exemptions encourage small businesses to safely manage universal waste in compliance with Part 273. In addition, EPA allows conditionally exempt small quantity generators to manage their universal waste under Part 273 or under the CESQG exemption in 40 CFR 261.5.

Finally, the universal waste system is a regulatory relief initiative that should reduce regulatory burden and costs for all universal waste handlers, but should particularly benefit small entities.

4(d) COLLECTION SCHEDULE

EPA collects information under the Part 273 regulations on a one-time or as-needed basis. EPA does not collect any information on a regular schedule.

EPA expects LQHUWs to submit notifications of universal waste management before they meet or exceed the 5,000 kilogram accumulation limit. EPA expects any universal waste handler to notify EPA if it receives an illegal shipment of waste. EPA expects to receive petitions under Sections 273.80 and 273.81 if and when an organization believes that a waste or category of waste should be subject to the Part 273 Universal Waste Regulations rather than full Subtitle C requirements.

5. NONDUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA

5(a) NONDUPLICATION

The information required by the universal waste regulations is not available from any source but the respondents. Some respondents may be able to use current facility records and practices to comply with certain recordkeeping requirements, such as the labeling and marking requirements of §§273.14 and 273.34.

5(b) CONSULTATIONS

The rules covered by this ICR were promulgated using proper rulemaking procedures. EPA made every effort to consult with the general public, state and industry officials, and appropriate federal agencies.

5(c) EFFECTS OF LESS FREQUENT COLLECTION

EPA has carefully considered the burden imposed upon the regulated community by the regulations. EPA is confident that those activities required of respondents are necessary, and to the extent possible, has attempted to minimize the burden imposed. EPA believes strongly that if the minimum requirements specified under the regulations are not met, neither the facilities nor EPA can ensure that universal waste is being managed in a manner protective of human health and the environment.

5(d) GENERAL GUIDELINES

This ICR adheres to the guidelines stated in the 1995 Paperwork Reduction Act, OMB's implementing regulations, OMB's Information Collection Review Handbook, and other applicable OMB guidance.

Requirements and justification for reporting information to EPA more often than quarterly have already been discussed under Section 4(d). Collection activities that must be prepared in less than 30 days are also discussed in Section 4(d). There are no requirements for retaining records for more than three years.

5(e) CONFIDENTIALITY

Section 3007(b) of RCRA and 40 CFR Part 2, Subpart B, which define EPA's general policy on the public disclosure of information, contain provisions for confidentiality.

5(f) SENSITIVE QUESTIONS

No questions of a sensitive nature are included in any of the information collection requirements.

6. ESTIMATING THE BURDEN AND COST OF COLLECTION

6(a) ESTIMATING RESPONDENT BURDEN

The universal waste management system covers handlers of hazardous waste batteries, pesticides, and thermostats. Hazardous waste batteries consist of sealed nickel-cadmium (n-c) batteries, vented n-c batteries, and mercuric oxide batteries. Hazardous waste pesticides consist of pesticides that are recalled by a manufacturer, and unused pesticides that are collected and managed as part of a waste pesticide collection and disposal program administered or recognized by a state. Hazardous waste thermostats consist of mercury-containing thermostats that are removed from service. Table 1 presents the estimated waste handler universe for each of these universal wastes.

Please note that the Mercury-Containing and Rechargeable Battery Management Act of 1996 contains intergovernmental mandates that would preempt state and local laws governing the collection, storage, and transportation of certain batteries identified in Section 104(a) of the Act. States would be allowed to implement and enforce their own requirements only if EPA determined that those requirements were identical to those of the federal government for collection, storage, and transportation. This ICR assumes that, under the Act, waste handlers will continue to manage their rechargeable batteries consistent with federal provisions. However, EPA is currently reviewing the issue of state preemption and, thus, the ICR's assumption is subject to change.

Further, Section 104 of the Act requires the Agency to require "certain batteries which when discarded would otherwise be considered hazardous wastes — including used rechargeable batteries, batteries described in section 3(5)(C) or Title II, and used rechargeable consumer products containing rechargeable batteries that are not easily removable — [to] be regulated in essentially the same manner as batteries regulated" under the universal waste standards. EPA is currently working on this codification and, thus, the effects of the codification are unclear. This ICR assumes that this codification will not affect the assumptions in this ICR. However, this assumption could be subject to change when EPA finalizes its codification effort.

Exhibits 1 and 2 present the estimated respondent burden and costs associated with the information collection requirements covered in this ICR. Exhibit 1 shows the average amount of time needed for SQHUWs, LQHUWs, and destination facilities to comply with each requirement. Exhibit 2 summarizes the total respondent burden and costs for SQHUWs, LQHUWs, and destination facilities.

EXHIBIT 1

 REPORTING AND RECORDKEEPING REQUIREMENTS FOR UNIVERSAL WASTE HANDLERS AND DESTINATION FACILITIES
 ANNUAL ESTIMATED RESPONDENT BURDEN AND COST

	Number of Respondents or Activities	Hours per Respondent				O&M Costs/Respondent			Total Hours per Year	Cost per Respondent or Activity	Total Cost per Year
		Legal @ \$90.99/hr	Manager @ \$69.21/hr	Technical @ \$45.30/hr	Clerical @ \$23.70/hr	Postage/ Shipping @ \$0.35/doc	Photocopies @ \$0.10/page	Contractor @ \$110.00/hr			
READING THE REGULATIONS											
Read the Universal Waste Regulations											
SQHUW's	78,973	0.10	0.17	0.25	0.00	\$0.00	\$0.00	\$0.00	41,066	\$32.19	\$2,542,162
LQHUW's	485	0.10	0.17	0.25	0.00	\$0.00	\$0.00	\$0.00	252	\$32.19	\$15,612
Destination facilities	52	0.10	0.17	0.25	0.00	\$0.00	\$0.00	\$0.00	27	\$32.19	\$1,674
SUBTOTAL	varies	0.10	0.17	0.25	0.00	\$0.00	\$0.00	\$0.00	41,345	\$32.19	\$2,559,449
NOTIFICATION (273.32)											
Prepare written notification of universal waste management											
LQHUWs	97	0.00	1.00	0.50	0.75	\$0.00	\$0.00	\$0.00	218	\$109.64	\$10,635
Submit written notification of universal waste management											
LQHUWs	97	0.00	0.00	0.00	0.16	\$0.35	\$0.00	\$0.00	16	\$4.14	\$402
SUBTOTAL	97	0.00	1.00	0.50	0.91	\$33.95	\$0.00	\$0.00	234	\$113.78	\$11,037
LABELING/MARKING (273.14 and 273.34)											
Label or mark the universal waste or storage container to identify the type of universal waste											
SQHUWs	78,973	0.00	0.00	0.25	0.25	\$0.00	\$0.00	\$0.00	39,487	\$17.25	\$1,362,302
LQHUWs	485	0.00	0.00	0.50	0.50	\$0.00	\$0.00	\$0.00	485	\$34.50	\$16,733
SUBTOTAL	varies	0.00	0.00	varies	varies	\$0.00	\$0.00	\$0.00	39,972	varies	\$1,379,035
STORAGE TIME LIMITS(273.15 and 273.35)											
Mark or label storage container or area used to store universal waste with the date the waste was received or became a waste											
SQHUWs	63,178	0.00	0.00	0.25	0.25	\$0.00	\$0.00	\$0.00	31,589	\$17.25	\$1,089,835
LQHUWs	388	0.00	0.00	0.50	0.50	\$0.00	\$0.00	\$0.00	388	\$34.50	\$13,386
SUBTOTAL	varies	0.00	0.00	varies	varies	\$0.00	\$0.00	\$0.00	31,977	varies	\$1,103,221
OFF-SITE SHIPMENTS (273.18,273.36, and 273.61)											
Prepare notice to originating handler of rejection of universal waste shipment											
SQHUWs and LQHUWs	100	0.00	0.25	0.25	0.15	\$0.00	\$0.00	\$0.00	65	\$32.18	\$3,216
Destination Facilities	300	0.00	0.25	0.25	0.15	\$0.00	\$0.00	\$0.00	195	\$32.18	\$9,648
Submit notice to originating handler of rejection of universal waste shipment											
SQHUWs and LQHUWs	100	0.00	0.00	0.00	0.16	\$0.35	\$0.00	\$0.00	16	\$4.14	\$414
Destination Facilities	300	0.00	0.00	0.00	0.16	\$0.35	\$0.00	\$0.00	48	\$4.14	\$1,243
Prepare notice to EPA of illegal waste shipments											
SQHUWs and LQHUWs	50	1.00	0.50	0.50	0.25	\$0.00	\$0.00	\$0.00	112	\$154.17	\$7,703
Destination Facilities	150	1.00	0.50	0.50	0.25	\$0.00	\$0.00	\$0.00	337	\$154.17	\$23,109
Submit notice to EPA of illegal waste shipments											
SQHUWs and LQHUWs	50	0.00	0.00	0.00	0.16	\$0.35	\$0.00	\$0.00	8	\$4.14	\$207
Destination Facilities	150	0.00	0.00	0.00	0.16	\$0.35	\$0.00	\$0.00	24	\$4.14	\$621
SUBTOTAL	varies	varies	varies	varies	varies	\$209.95	\$0.00	\$0.00	805	varies	\$46,160
TRACKING UNIVERSAL WASTE SHIPMENTS (273.39 and 273.6											
Keep a record of each shipment of universal waste received											
LQHUWs	19,986	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	1,999	\$2.37	\$47,363
Destination Facilities	59,957	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	5,996	\$2.37	\$142,090
Keep a record of each shipment of universal waste sent to other facilities											
LQHUWs	970	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	97	\$2.37	\$2,299
SUBTOTAL	varies	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	8,091	\$2.37	\$191,752

EXHIBIT 1

 REPORTING AND RECORDKEEPING REQUIREMENTS FOR UNIVERSAL WASTE HANDLERS AND DESTINATION FACILITIES
 ANNUAL ESTIMATED RESPONDENT BURDEN AND COST

	Number of Respondents or Activities	Hours per Respondent				O&M Costs/Respondent			Total Hours per Year	Cost per Respondent or Activity	Total Cost per Year
		Legal	Manager	Technical	Clerical	Postage/ Shipping	Photocopies	Contractor			
		@ \$90.99/hr	@ \$69.21/hr	@ \$45.30/hr	@ \$23.70/hr	@ \$0.35/doc	@ \$0.10/page	@ \$110.00/hr			
PETITIONS TO INCLUDE OTHER WASTES UNDER 40 CFR PART 273 (273.80 and 278.81)											
Prepare a petition supporting regulation under Part 273 for a waste or waste category	1	30.00	40.00	150.00	30.00	\$0.00	\$0.00	\$0.00	250	\$13,004.38	\$13,004
Submit a petition supporting regulation under Part 273 for a waste or waste category	1	0.00	0.00	0.00	0.16	\$0.35	\$0.00	\$0.00	0	\$4.14	\$4
SUBTOTAL	1	30.00	40.00	150.00	30.16	\$0.35	\$0.00	\$0.00	250	\$13,008.52	\$13,009
TOTAL	varies	varies	varies	varies	varies	\$244.25	\$0.00	\$0.00	122,674	varies	\$5,303,663

EXHIBIT 2:
 REPORTING AND RECORDKEEPING REQUIREMENTS FOR UNIVERSAL WASTE
 HANDLERS AND DESTINATION FACILITIES
 RESPONDENT BURDEN AND COST SUMMARY

Respondent Type	Total Hours	Labor Costs	Capital Costs	O&M Costs	Total Costs
SQHUWs	112,342	\$5,005,717.48	---	\$52.17	\$5,005,770
LQHUWs	3,455	\$106,466.08	---	\$34.27	\$106,500
Destination Facilities	6,627	\$178,226.73	---	\$157.46	\$178,384
Petitioners	250	\$13,008.17	---	\$0.35	\$13,009
Capital Costs	---	---	\$1,211.90	---	\$1,212
TOTAL	122,674	\$5,303,418.46	\$1,211.90	\$244.25	\$5,304,875

Reading the Regulations

EPA expects that all universal waste handlers and destination facilities will read the applicable regulations each year. This includes 78,973 SQHUWs, 485 LQHUWs, and 52 destination facilities.

Table 1
Estimated Number of Annual Universal Waste Handlers and Destination Facilities

Type of Universal Waste	# SQHUWs	# LQHUWs	# Destination Facilities
<u>Hazardous waste batteries</u>			
Nickel cadmium batteries	59,316	247	4
Mercuric oxide batteries	1,051	25	2
TOTAL	60,367	272	6
<u>Hazardous waste pesticides</u>			
Recalled pesticides	5,837	0	44
Unused pesticides	162	213	44
TOTAL	5,999	213	44
<u>Hazardous waste thermostats</u>			
TOTAL	12,607	0	2
TOTAL NUMBER OF UNIVERSAL WASTE HANDLERS	78,973	485	52

Notification

All LQHUWs are required to send to EPA a written notification of universal waste management under §273.32. However, the following LQHUWs do not need to notify: (1) a LQHUW that has already notified EPA of its hazardous waste activities and received an EPA Identification Number; and (2) a LQHUW of exclusively recalled universal waste pesticides that has sent notification to EPA required under FIFRA section 19(b) and 6(b). EPA estimates that 20 percent of LQHUWs (i.e., 97) need to notify EPA of their activities each year.

Labeling/Marking

All SQHUWs and LQHUWs must label or mark their universal waste for identification purposes. EPA expects that all SQHUWs and LQHUWs label or mark containers, tanks, and transport vehicles used to store universal waste. Handlers are not expected to mark each individual piece of universal waste but rather accumulate them in clearly marked containers and vehicles, thus minimizing the recordkeeping burden.

Storage Time Limits

EPA expects all handlers subject to the universal waste management system to keep records under §273.15 and §273.35 that demonstrate how long their waste has been stored. EPA estimates that 80 percent of handlers (i.e., 63,178 SQHUWs and 388 LQHUWs) make this demonstration by labeling storage containers or storage areas with the earliest date that universal waste became a waste or was received. EPA estimates that the other 20 percent of facilities (15,795 SQHUWs and 97 LQHUWs) use a standard business practice to account for storage time; these facilities therefore are not burdened in this ICR.

Off-Site Shipments

All SQHUWs, LQHUWs, and destination facilities are required to notify an originating handler if a universal waste shipment is rejected. (See Table 2 for the estimated number of total shipments sent and received by universal waste handlers.) EPA estimates that 0.5 percent of all shipments received by SQHUWs, LQHUWs, and destination facilities are rejected. Since EPA estimates that there are a total of 79,943 universal waste shipments each year, there will be approximately 400 annual rejection notices. EPA estimates that 75 percent of these notices (i.e., approximately 300) are issued by destination facilities, with the remaining 25 percent (i.e., approximately 100) issued by LQHUWs and SQHUWs.

All SQHUWs, LQHUWs, and destination facilities also are required to notify EPA if they receive a shipment containing hazardous waste that is not a universal waste. EPA estimates that 0.25 percent of all shipments received are illegal shipments. Thus, EPA expects to receive approximately 200 notices of illegal shipments each year. EPA estimates that 75 percent of these notices (i.e., 150) are issued by destination facilities, with 25 percent (i.e., 50) issued by LQHUWs and SQHUWs.

Table 2
Estimated Number of Universal Waste Shipments

Type of Universal Waste Handler	# Handlers	Annual # Shipments per Handler	# of Shipments
Battery SQHUW	60,367	1	60,367
Pesticide SQHUW	5,999	1	5,999
Thermostat SQHUW	12,607	1	12,607
SQHUW - TOTAL	78,973	1	78,973
Battery LQHUW	272	2	544
Pesticide LQHUW	213	2	426
LQHUW - TOTAL	485	2	970
TOTAL SHIPMENTS	79,458	Varies	79,943

Tracking Universal Waste Shipments

Table 2 presents the estimated number of universal waste shipments each year. LQHUWs and destination facilities are required under §273.39(a) and §273.62(a) to keep records of each shipment of universal waste received. EPA estimates that 75 percent of all universal waste shipments are received by destination facilities, with the remaining 25 percent received by LQHUWs for consolidation and eventual shipment. Thus, destination facilities will need to maintain records for 59,957 annual shipments, and LQHUWs for 19,986 annual shipments.

LQHUWs also are required under §273.39(b) to keep records of each universal waste shipment sent off-site to another facility. As shown in Table 2, EPA estimates that LQHUWs send a total of 970 universal waste shipments each year.

Petitions to Include Other Wastes Under 40 CFR Part 273

EPA expects that each year, one organization will prepare and submit a petition supporting regulation under Part 273 for a waste or waste category.

6(b) ESTIMATING RESPONDENT COSTS

EPA estimates an average hourly respondent labor cost (including overhead) of \$90.99 for legal staff, \$69.21 for managerial staff, \$45.30 for technical staff, and \$23.70 for clerical staff. To arrive at these estimates, EPA consulted Bureau of Labor Statistics' employment cost statistics. Using the total burden hours estimated in the above section, Exhibit 1 estimates the respondent costs associated with all of the information collection activities covered in this ICR.

In the following paragraphs, EPA estimates capital costs associated with the information requirements covered by this ICR. Capital costs usually include any produced physical good needed to provide or keep records of the needed information, such as machinery, computers, and other equipment. For this ICR, the only required capital is file cabinets for maintaining reports. As shown in Exhibit 2, EPA estimates the total average annual capital cost to all respondents, collectively, to be approximately \$1,211.90. EPA took the following steps to derive these costs:

- Estimate the total annual volume of reports required to be retained by all respondents. In total, EPA estimates that destination sites must maintain 59,957 pages of records annually, and LQHUWs must maintain 20,956 pages.
- Ascertain the number of standard-size file cabinets that would provide the needed capacity and estimate the aggregate purchasing price. Given that a standard-size, five-drawer, lateral file cabinet holds approximately 16,000 pages, EPA estimates that the hazardous waste industry would need to purchase approximately six file cabinets each year (i.e., 80,913/16,000). These file cabinets represent the total capacity needed by the industry, collectively, to store all of its reports. Based on its consultations, EPA estimates that the purchasing price for one file cabinet is \$530 and for all six, \$3,180.
- Annualize the aggregate purchasing price using a net present value formula. EPA used the following annualized net present value formula to calculate the annual cost to the hazardous waste industry to acquire these file cabinets:

$$\text{Annual Cost} = (A/P, k, t),$$

where A/P = capital recovery factor;
k = discount rate of 7 percent;
t = life of equipment (3 years).

- In total, EPA estimates that generators will need to pay an annual cost of \$1,211.90 for the six file cabinets.

O&M costs are those costs associated with a paperwork requirement incurred continually over the life of the ICR. They are defined by the PRA as "the recurring dollar amount of cost associated with O&M or purchasing services." For this ICR, O&M costs cover postage and an envelope for reports sent to other parties (32 cents postage, 3 cents per envelope) and photocopying of reports submitted to the Agency (10 cents per page).

6(c) ESTIMATING AGENCY BURDEN AND COST

Exhibit 3 presents the estimated Agency burden and costs associated with all the requirements covered in this ICR. Based on a 1997 GS pay schedule, EPA estimates an average hourly labor cost of \$54.53 for legal staff, \$39.23 for managerial staff, \$27.53 for technical staff, and \$16.74 for clerical staff. For purposes of this ICR, EPA assigned Agency staff the following government service levels:

Legal staff	GS-15, Step 1
Managerial staff	GS-13, Step 1
Technical staff	GS-11, Step 1
Clerical staff	GS-06, Step 1

EXHIBIT 3
 REPORTING AND RECORDKEEPING REQUIREMENTS FOR UNIVERSAL WASTE
 ANNUAL ESTIMATED AGENCY BURDEN AND COST

	Number of Respondents or Activities	Hours per Respondent				O&M Costs/Respondent		Total Hours per Year	Cost per Respondent or Activity	Total Cost per Year
		Legal @ \$90.99/hr	Managerial @ \$69.21/hr	Technical @ \$45.30/hr	Clerical @ \$23.70/hr	Postage/ Shipping @ \$0.35/doc	Photocopies @ \$0.10/page			
NOTIFICATION (273.62)										
Review notification for completeness and accuracy										
LQHUWs	20	0.00	0.00	0.25	0.00	\$0.00	\$0.00	5	\$11.33	\$227
Issue EPA ID number to LQHUW										
LQHUWs	20	0.00	0.00	0.00	0.25	\$0.00	\$0.00	5	\$5.92	\$118
Enter information into Database										
LQHUWs	20	0.00	0.00	0.00	0.25	\$0.00	\$0.00	5	\$5.92	\$118
SUBTOTAL	20	0.00	0.00	0.25	0.50	\$0.00	\$0.00	15	23.17	\$463
OFF SITE SHIPMENTS (273.18, 273.36, and 273.61)										
Review and file notice of rejected or illegal shipmen										
LQHUWs	150	2.00	1.00	1.00	0.25	\$0.00	\$0.00	638	\$302.41	\$45,362
Destination Facilities	450	2.00	1.00	1.00	0.25	\$0.00	\$0.00	1,913	\$302.41	\$136,085
SUBTOTAL	600.00	2.00	1.00	1.00	0.25	\$0.00	\$0.00	2,550	\$302.41	\$181,446
PETITIONS TO INCLUDE OTHER WASTES UNDER 40 CFR PART 273 (278.80 AND 273.81)										
Review petition and make a decision on the applicability of regulation under the universal waste program	1	40.00	50.00	80.00	0.00	\$0.00	\$0.00	170	\$10,724.24	\$10,724
Prepare and send written decision to the petitione	1	2.00	2.00	2.00	2.00	\$0.00	\$0.00	8	\$458.40	\$458
Compile and file all information on the petitor	1	0.00	0.00	0.00	4.00	\$0.00	\$0.00	4	\$94.79	\$95
SUBTOTAL	1	42.00	52.00	82.00	6.00	\$0.00	\$0.00	182	11,277.43	\$11,277
TOTAL	varies	varies	varies	varies	varies	\$0.00	\$0.00	2,747	varies	\$193,187

EPA divided annual compensation estimates by 2,080, the number of hours in a Federal work year, and multiplied the rates by the standard government overhead factor of 1.6 to derive hourly rates.

6(d) BOTTOM LINE BURDEN HOURS AND COSTS

The bottom line burden to respondents over the three-year period covered by this ICR is estimated at 368,025 hours, with a cost of approximately \$15,914,625. The bottom-line burden for the Agency is 8,241 hours, with a cost of \$579,561.

6(e) REASONS FOR CHANGE IN BURDEN

This ICR is an exhaustive description of the total respondent burden for all activities related to recordkeeping and reporting requirements for universal waste. Based on the 1993 BRS, we believe that the universe of universal waste handlers has decreased since the previous ICR. The bottom-line burden has decreased from the previous ICR's estimate because we have reduced the number of SQHUWs, LQHUWs, and destination facilities subject to the universal waste standards.

6(f) BURDEN STATEMENT

Table 3 presents the estimated average burden hours per respondent per year for the reporting and recordkeeping requirements covered by this ICR. The average public recordkeeping burden for SQHUWs under this collection of information is estimated to range from 1.12 hours to 1.62 hours per year. This estimate includes time for reading the regulations, labeling universal waste, and maintaining records demonstrating the length of storage. There is no associated reporting burden for SQHUWs. The reporting burden for LQHUWs is estimated to range from 0 hours to 2.41 hours per year. This estimate includes time for notifying EPA of universal waste management, and preparing and submitting notices of rejected or illegal universal waste shipments. The recordkeeping burden for LQHUWs under this collection of information is estimated to range from 5.82 hours to 6.82 hours per year. This estimate includes time for reading the regulations, labeling universal waste, maintaining records demonstrating the length of storage, and maintaining records of universal waste received and sent. The reporting burden for destination facilities is estimated to range from 0 hours to 2.41 hours. This estimate includes time for preparing and submitting notices of rejected or illegal universal waste shipments. The recordkeeping burden for destination facilities is estimated to be 115.37 hours per year. This estimate includes time for reading the regulations and maintaining records of universal waste received.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15.

Table 3
Average Annual Respondent Burden

Facility Type	Average Annual Reporting Burden	Average Annual Recordkeeping Burden
SQHUW	0	1.12-1.62 hours
LQHUW	0-2.41 hours	5.82-6.82 hours
Destination Facility	0-2.41 hours	115.37 hours

Send comments regarding these burden statements or any other aspect of this collection, including suggestions for reducing the burden, including through the use of automated collection techniques, to the Director, OPPE Regulatory Information Division, U.S. Environmental Protection Agency (2137), 401 M Street, S.W., Washington, D.C. 20460 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for EPA, 725 17th Street, N.W., Washington, D.C. 20503. Include the OMB control number in any correspondence.